

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	05-00088-01-CR-W-GAF
)	
SHELTON L. NEVELS,)	
)	
Defendant.)	

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGE: Defendant having been convicted of a felony possessed a firearm in and affecting commerce.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Christina Tabor
Case Agent: Task Force Officer Wayne Hartley the ATF
Defense: Laine Cardarella

OUTSTANDING MOTIONS: Defendant has filed a Motion for order to Dismiss on Double Jeopardy Grounds.

TRIAL WITNESSES:

Government: 7 witnesses without stipulations; 4 with stipulations
Defendant: 1 witness if the defendant decides to testify

TRIAL EXHIBITS:

Government: 26 exhibits
Defendant: 2 exhibits

DEFENSES: lack of knowledge of contraband and general denial.

POSSIBLE DISPOSITION:

(☒) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 1-1 ½ days

Government's case including jury selection: 1 day

Defense case: a few hours at most

STIPULATIONS: The parties have worked out stipulations as to the interstate nexus of the firearms and as to the defendant's prior convictions.

UNUSUAL QUESTIONS OF LAW: **None**—other than the issues raised by the defendant's motion to dismiss on double jeopardy grounds.

FILING DEADLINES:

Witness and Exhibit List: To be filed on Friday prior to the Pretrial Conference
Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, November 23, 2005

Please Note: Jury instructions must comply with Local Rule 51.1.

Motions in Limine: None

TRIAL SETTING: Case is set on the November 28, 2005 joint criminal docket.

Note: Defense counsel prefers the first week of the docket.

IT IS SO ORDERED.

/s/ Sarah W. Hays
SARAH W. HAYS
UNITED STATES MAGISTRATE JUDGE